

I. OPENING

CALL TO ORDER: The Planning Commission meeting of Lower Saucon Township was called to order on Monday, May 18, 2006, at 7:00 P.M., at 3700 Old Philadelphia Pike, Bethlehem, PA, with, Chairman, John Landis presiding

ROLL CALL: Present: John Landis, Chair; Gerry Szakmeister, Vice Chair; Fran LaBuda, Secretary; Hazem Hijazi, John Noble; Tom Maxfield; Brien Kocher, Engineer; Chris Garges, Zoning Officer; and Judy Stern Goldstein, Township Planner; Stephanie Williams, Jr. PC Member; and Solicitor, Linc Treadwell. Absent: Fran LaBuda and Craig Kologie.

PLEDGE OF ALLEGIANCE

II. PUBLIC COMMENT/CITIZEN AGENDA ITEMS

Nothing

III. BUSINESS ITEMS

A. PRESENTATION OF JOINT COMPREHENSIVE RECREATION, PARK AND OPEN SPACE PLAN – UPPER & LOWER SAUCON TOWNSHIP

Mr. Harry Roth and Susan and Steve Landis were present. Mr. Harry Roth said they've been working with the Townships for about two years now. This meeting is required so the Planning Commission can take action on this plan and recognize this adoption. He went through a slide show. He said you first try to determine what the goals of the plan are. They sent out surveys to 1,000 residents in each municipality. The first question asked about funds to identify recreation priorities. 62% of the comments focused on open space priorities while 38% focused on recreation and parks. Question 3 asked for a response what they liked most about their local parks. Again, 69% of the response identified natural features while only 25% identified recreation. Question 4 asked them to rate the existing parks within the township. Overall, the satisfaction is 80%. They believe the parks are clean and attractive. The only thing that scored less than that was the availability of facilities. Question 7 asked residents to select among several priorities to focus on in the future. This gave us some idea what would be lacking and what would be needed. Open space was by far the most popular. Nine out of 10 identified that as a priority. The second closed priority was the pedestrian connections. Question 8 asked residents to select among various levels of tax support, would they be willing to pay on an annual basis? 56% of them would financially commit to this goal. Open space reported a higher priority among those who were willing to pay a little more. You can see they are very balanced. We, the consultants, met with this Committee twice and talked about goals for the plan. We got it all wrong. We went back and put together this whole list of goals and we met with the Committee the next time and they said you just missed the boat. What they failed to do was really emphasize the need for open space. Early on, open space was a major priority within the region. Therefore, this plan has a great deal of emphasis on open space, much more than any Parks and Recreation plan they've ever done before.

Mr. Roth said the first thing you do in identifying open space is you take stock of the landscape. They've done an inventory of natural features. This map depicts some of those features, the prime farmlands, steep slopes, flood plains, woodlands, wetlands, habitats, exceptional value watersheds, and natural resource areas. There is a great deal of natural significance within both communities. We have a wealth of resources to work with.

Mr. Roth said we look at cultural features. Unfortunately, it seems that your region doesn't really have a good up-to-date inventory of historic sites. There's a dozen or so that have been identified within Lower Saucon Township (LST) and only one historic site, the Centennial Bridge, within Upper Saucon Township (UST). We've also looked at areas like the Liberty Bell Trolley line as a potential park site, and Septa right-of-way and various utility right-of-ways which cross the landscape. They've been identified within the plan. He showed a map and said it shows all the various parks, natural open space areas, private and special purpose parks, greenway trails, and it also shows faint radiuses of the community park service areas. He showed an open space map. There is a chapter titled "Open Space Analysis" where they went in and looked at various techniques that are in play within the region and also suggested some new strategies. One was Transfer Development Rights (TDR). Within Upper Saucon, they have a number of zones that are characterized by severe, environmental conditions. They have some effective zoning in some of these areas and less effective in others. What they are proposing as part of this plan is to create a TDR program where they can get landowners who own some of these valuable open spaces to be compensated by potential developers and they can transfer the development rights from the open space into the development zones for the community.

Mr. Roth said they also have identified priority resource areas. These are characterized by the more sensitive environmental features. They are considered priority for protection.

Mr. Roth said another priority we talked about was the need for riparian buffers and stream corridor protection. There are a variety of implementation techniques described within the plan on how to accomplish riparian buffers.

Mr. Roth said finally there are potential linear plaques identified here, most notably, the Septa rail line, the trolley, and again, some of the utility right-of-ways that traversed both municipalities.

Mr. Roth said to protect natural and cultural resources in key open space, both municipalities need to keep an up-to-date inventory of these resources. It's important the staff stay on top of these resources. Both municipalities could use some strengthening of their environmental protection regulations, both in zoning and the subdivision ordinance. In some cases, LST has done a lot of this. UST is in the process of doing a lot of this as well. They also recommended that you be assigned particular specialties or emphasis. Mr. Hijazi, you might be a wetland specialist, Stephanie, you might be a woodlands specialist, Tom might be a habitat specialist, and you would then gain particular expertise in those areas, go to conferences, get some materials and research so that when a particular development plan is presented to the community, and it has those features, you are well versed on it. The process by which development plans will be reviewed will become more complicated as a result of our strategies. We've recommended that both municipalities prepare orientation materials so that when new members come on board, they are up to speed on how to implement some of these measures.

Mr. Roth said you should also look to apply wide range of techniques. Keep your eye open and try and fit the open space with the various technique that is described within the plan. Both municipalities should promote "Growing Greener" neighborhood designs. LST has already done some of this and UST is in the process of doing this. Mr. Roth said UST should apply, administer and promote the transfer of TDR. The PC and EAC and Open Space Committee in Upper Saucon, should try and get a list of priorities. Figure out what are the highest priority areas. They also suggest that you prepare a very similar study taking the study another step further and apply for a Greenway Feasibility study along the Saucon Creek, both municipalities, as a joint application. That will help you refine implementation strategies along the Saucon Creek - strategies for right-of-way acquisition, easement acquisition, and so forth. They also suggested you conduct a joint workshop to promote the strategy along the Saucon Creek. There will be some opposition and some support. You need to get started on this early and figure out where your hurdles are and

begin to attack those hurdles. You should sponsor a riparian buffer awareness program among various interested groups. You should strengthen protection for farming areas in rural areas and permit accessory farm occupations to help financially assist farmers, encourage farmers to participate in the various farm and preservation programs, and confine your growth away from aqua farming. LST has done a good job at this. UST has an ag district also, so both municipalities have tried to steer their developments away from these areas.

Mr. Roth said the next thing is mandatory dedication. Traditionally, mandatory dedication is a technique that is used by municipalities to secure park lands from developers as new developments are proposed. If you don't like where the park lands are or the way they are configured, you have the option of negotiating with the developer for fees in lieu of that park land dedication. They are also including open space as part of your park system. You should collect and administer open space funds, spend them judiciously toward conservation easements when you can. You should also use your local open space funds to leverage other grant monies. There was a letter from LVPC suggesting that you earmark a certain portion of your earned income tax towards an open space fund, and then use the fund to leverage county grants. That's what the plan is recommending. There's also 50 different funding sources listed within the plan. You should monitor Septa status with its railroad right-of-way. Right now they are saying no, but their plans are kind of up in the air with the City of Bethlehem efforts to secure the right-of-way for their own park system. Things could change in both municipalities. UST should initiate a trail feasibility study with Richland and Springfield Townships to extend the Liberty Bell Trolley north from Quakertown into the Township. They talked about floating a bond or earmarking a portion of your EIT for open space. Investigate the creation of local conservancies. Try and figure out the types of standards they are looking for open spaces so you are not creating impediments to their participation in your programs. You should cooperate with other interested groups such as the school district, the county, civic groups, sportsmen, and scouts, in the planning for your open spaces. You should develop regulations and management strategies that let the landowners become willing participants and stewards of your open space. He can talk tonight about the strategies, but there's a lot more detail in this plan on how to carry these strategies out.

Mrs. deLeon said you mentioned the one historic site in Upper Saucon, why wasn't the Earhart Mill Bridge on the register? Mr. Roth said that's information he wasn't aware of. This will be made as a correction to the plan. Mr. Maxfield said it does reference it. There's a description at the top of the chart which references it.

Mr. Steve Landis, said he's here with his wife, Susan, from Recreation and Parks Solutions. They've been working side by side with Harry Roth, and your study committee. They focus more on the recreation issues. Both LST and UST have made significant investments in park areas and recreation facilities and continue to so. They did initial inventory of assessment of existing conditions and they did that for several different areas – recreation, administration, park land and recreation facilities, recreation programs, park maintenance and security, and finances. Not only did they do that inventory, but they had the information that was from the survey, and they combined that with the information they received from the study committee meetings and also some important key person interviews that were conducted of community leaders, members of the PC and other elected officials. They found out that citizen involvement is encouraged in the municipalities and is welcomed and there is high participation. They found out that responsibilities for parks and recreation is shared in the municipalities. The region has a wide variety of park lands and recreation facilities.

Mr. Landis said LST owns 209.7 acres of land, 76 acres are developed as community park land currently. UST owns 368 acres of land and 73 are developed as community park land. LST needs to acquire another 27 acres for community parks and UST another 40 acres for community parks over the next 15 years.

Mr. Landis said one thing they notice in the survey, citizens don't really know where the parks or what recreation programs exist. There's not a whole lot of information out there in the community. There are many volunteer groups offering recreation programs. Citizens are looking for more recreation choices. Protection of open space and natural resources is a top priority in the citizens. There is a high demand for athletic fields and active use areas. Southern Lehigh Living Memorial park needs to have many safety upgrades and improved maintenance. Municipal funding for parks and recreation is increasing, mainly on the capital side. The operating budgets are still very low. It's an average of 1.6% of township operating expenses. Revenues are also very low through Parks and Recreation, an average of only \$3,500 for each township.

Mr. Landis said in the plan they developed their goals and strategies. Their first goal for recreation, parks and open space administration is to continue to operate your systems effectively and efficiently through volunteer and staff leadership. For the size of the township's park system and the population you have, you should take a look at having a shared full time recreation parks and open space director. He should be hired to administer to programs. Salary would be minimum of \$45,000. You can apply to the PA Dept. of Conservation and Natural Resource for a circuit rider and grant funds which can help the municipalities bring somebody on board. The Director can do many things for the municipalities. Goal 2 is for public relations and communication. Let them know what is here and encourage use and support of the new facilities. The citizen survey indicated a major need for improved promotion. There should be some efforts made towards telling them about this. You can use websites, community maps, township newsletters, etc. We talked about publishing a comprehensive guide to the entire system, which would include, not only the open spaces, but recreation programs and special events. Goal 3 park land and existing recreation facilities. Enhance existing park areas and recreation facilities and set aside adequate parcels of land for future development. Make sure maintenance of the existing park areas is a priority. Accessible pathways to facilities are important. Important is ball field improvements, parking area improvements, for usability and access for handicapped individuals, and a capital plan for repair and maintenance of the outdoor swimming pools that serve the community. The standard for active facilities should be 7 ½ acres per 1,000 population and the standard for open space should be 7 ½ acres per 1,000 population giving a recommended acreage of 15 per 1,000. Form a committee with representatives from both townships and school districts to study the purchase and development of a joint community park and see if you can do it in one place. If a joint park is not feasible, then they are recommending that UST should acquire about 40 acres for a new community park in the western portion of the township. They'd like to see you strengthen recreation programs. Take a look at offering the public a balanced schedule of recreation programs for all ages.

Mr. Landis said operating capital budgets for recreation improvements and open space production. The goal should be 6% of the township's operating budget and \$200,000 annually for capital improvements to existing parks. Invite your DC&R to visit the townships and meet with the PC, elected officials, tour the sites and talk about some of your priorities and get their input and help to discuss grant project opportunities. The open space plan identifies a variety of funding sources. Develop a business sponsorship package for township special events. Prepare a gift catalog for things you are looking for in the parks. Always look to increase the percentage of the parks and recreation operating budget that is generated through non tax sources. Set 20% as a first milestone to be achieved for the first five or six years. Develop an "Adopt a Park" Program similar to the roadside program that you see the signs for all over the place. Seek assistance from environmental groups to help with your open space preservation. Create an ad hoc fund raising committee as an extension of the parks and recreation to raise money for important projects that you have going on. Establish a township wide "Friends of the Park Group" which would be an extension of your park and recreation board. Goal 6 is Parks and Open Space Maintenance and Security. It's to continue to insure the parks and open space areas are attractive and are well maintained, safe and secure for visitors. There should be a planned maintenance program. Develop a safety inspection check list

and institute natural resource components to maintenance operations. Increase staffing as you need to with bringing new parks on line. Do an operations maintenance piece to see what it will cost to operate the park. What do LST and UST citizens want? They found they want protected open space, well maintained park areas, outdoor recreation experiences, more recreation program choices, places to walk and bike, and expanded promotion of recreation opportunities.

Mr. Roth said they are hoping you can now take action on this so they can move on to the next step to your next local governing body. He would expect that each of you would make motions and take some formal action. UST will do this at their next meeting in June.

MOTION BY: Mr. Maxfield moved to recommend this plan to Council for adoption.

SECOND BY: Ms. Szakmeister

ROLL CALL: 5-0 (Mr. LaBuda and Mr. Kologie absent)

**B. JOHN BLAIR TOWNSHIP – TURNBRIDGE PARTNERSHIP – MCCLOSKEY AVENUE
MINOR 03-05 – 3612 MCCLOSKEY AVENUE (TIME LIMIT 06/10/06)**

Attorney Schantz, attorney for Turnbridge Partnership and Christine Decker, consultant, Keystone Engineering were present.

Attorney Schantz said he was before you a month or so ago and discussed was the cul-de-sac versus just letting the road the way it is. This is two tax parcels separated by an unimproved paper alley. They've gone before Council to request the vacation of that alley. We've written descriptions for that and that is going to be in the process of presenting that ordinance for adoption some time in the near future. Once that alley is vacated, their intention would be to consolidate the two lots into one lot and then resubdivide it into the two lots you see on the plan today. With the cul-de-sac that you requested, we're not required to do that as it's a minor subdivision plan. They are now adding additional impervious coverage to the parcel which causes to go before the ZHB to request a variance for impervious coverage and site disturbance. That was not met too well last night by Council. The way it stands right now with Council is they need more information and they are objecting to the impervious coverage and recommend they take some out of the way. This plan may come back without the cul-de-sac. If that's the only way to go and they meet the conditions of SALDO, that's what they are going to have to do. It would be two separate driveways.

Mr. Landis said without the township being in favor of going through a variance, it would affect the plans, the question tonight would be, what could we do that would help you? Attorney Schantz said this evening we're moving forward with the plan as it is. The site capacity calculations, they come with 1.972 and they are requesting 2. It's a diminimus variance and there's some question as to whether it's a diminimus variance. They expressed they were okay with the two lots, it was the impervious coverage and the site disturbance and some issues that were in the Planner letter. There is some language in the letter about trees being removed and recent activity. His client talked with Judy and talked to her awhile. They went in there and had a wetlands delineation preformed and when they were in there, they cleared out some scrub brush. The second issue was there was a wetlands delineation performed and they do have a report. Ms. Stern Goldstein said they should produce the documentation.

Ms. Decker said she's gone over the Boucher & James letter and responded previously to Ms. Stern Goldstein's letter in writing. They would like to meet everything that is on the paper, but they had some conversations, and she called Ms. Stern Goldstein and Ms. Stern Goldstein directed Ms. Decker back to Mr. Garges for items such as description and elevation views of the structures, type of shrubbery and landscaping that's going to be on the site. We don't know what the buyer is going to plant out there, or what kind of house. They have put on the plans a 40x60 house,

driveway and that it's limited to residential, 2 ½ story, which is all written on the plans. They are unclear as to what information they are supposed to provide. Ms. Stern Goldstein said simple notes when the building permit is submitted would suffice for the descriptions and elevation views. As far as landscaping, that does need to be shown on the plan to meet the basic requirements. Ms. Decker said with regards to the water supply and fire protection and sewerage facilities, they are all public facilities and are shown on the plan.

Mr. Maxfield said the 40x60 footprint of the home, a question came up last night at the Council meeting. They wanted to make sure if the calculations were based on a 40 x 60, which was the extreme limit the house would ever be. Ms. Decker said yes, and when they come in for a building permit, they should be presenting a floor plan of what the house looks like. If it would exceed that, they would have to come before Planning or Zoning, or both, and get a variance or change what has to occur at that time. They can only estimate what the size will be. Mr. Maxfield said the way they treated that before was that was the maximum allowable. We would like to stick to that. There are identified storm water problems there and if we are going to calculate things according to that size, he'd like to maintain that size. Attorney Treadwell said a note on the plan, 40x60, that's the maximum size. Ms. Stern Goldstein said choose your building area and make sure you can accommodate what is in that area. Attorney Schantz said looking ahead, would it limit them to put a pool in the future? Ms. Stern Goldstein said they'd have to come back to the ZHB for a variance. Ms. Stern Goldstein said we know we're dealing with resource protection calculations and woodland protection. It's in your client's best interest to deal with all the anticipated disturbances up front, and encourage the applicants to have realistic plans. The average builder can anticipate what improvements would be on the lots when they are complete.

Ms. Decker said the other comments are straight forward. She has some questions regarding the calculations and she'd prefer to just go over that with Ms. Stern Goldstein later on. Mr. Maxfield said the 1.972, could that possibly change with the method we use to calculate resources? Ms. Stern Goldstein said it could change if any of the resources on the site are changed as a result of the comments contained herein. It's not going to change significantly. Its still going to be shy of 2.

Ms. Decker said regarding the HEA letter. They have no major concerns. They will address all the items. Item B 2, they are requesting a waiver of the 250 feet of existing structures and they prefer to leave it at 100 feet. Ms. Decker said one of their concerns is if they leave the existing road as it is and just put driveways in, they fall under the 10,000 sq. feet of disturbed area where they have to go to the LVPC about. If they put the cul-de-sac in, they exceed it and have to make the Act 167 regulations, so that means they have to do detention on the sites. More likely if that's the route they are going to go, it would be underground and tying into some of the inlet boxes around the cul-de-sac. It's hanging on what happens with the roadway.

Ms. Decker said the only the comment is that a cul-de-sac is not required under a minor subdivision.

Mr. Landis said you have to resolve the cul-de-sac driveway situation.

Ms. Stern Goldstein said the carbonate study will be complied to? Ms. Decker said she would have to check. She doesn't recall seeing one. Ms. Stern Goldstein said that's a big one.

MOTION BY: Mr. Maxfield moved to table.
SECOND BY: Mr. Hijazi
ROLL CALL: 5-0 (Mr. LaBuda and Mr. Kologie absent)

C. **KERRY CLAIR VENTURES, LP – PENN'S VIEW ESTATES MAJOR MAJ 02-05 – BANKO LANE – (TIME LIMIT 07/08/06)**

Joe Fitzpatrick, Attorney; Phil Siebert, Ott Consulting, Jeff Ott, Ott Consulting, and Brian Reegan, principal in Kerry Clair Ventures and also a LST resident.

Attorney Fitzpatrick said this is a six home subdivision on the 19 plus acre tract of land. The reason we've been back so many times is the developer has been cooperative with the township. They started out with six homes on 19 plus acres and had two conforming detention ponds, and with the thrust and technology towards infiltration, they reengineered the plan to accommodate infiltration. They have made a good faith effort to shorten the cul-de-sac substantially. They eliminated detention ponds, and integrated infiltration technology. There's nothing that appears to be an impediment in the review letters before them.

Mr. Landis said they will start with the Boucher & James letter. Mr. Siebert said they have reviewed the letter in detail. He had six questions for Judy which she did answer by phone this week. Mr. Siebert said they will comply with all of the six issues.

Mr. Landis said they will go over the HEA letter. Mr. Roeder said he met with them a few times, the detention ponds are gone and the infiltration is there. Assuming they do the field tests, those sites should be okay. Attorney Fitzpatrick said the reason they are going back to do additional field testing is that in one of the earlier versions of the plan, homes were pushed back into woodlands, and trees had to be removed. They had lots that perked. By virtue of pulling the homes forward and out of the woodlands, they have to go back to lots that they know perk and re-verify. That's all been ordered and they don't anticipate a problem. Attorney Fitzpatrick said the first item is the Fire Chief asking for underground tanks for fire fighting. They are really in a rural area and the houses are really far apart. To try and put that type of a measure on lots that are 3 1/3 acre average, it's just unfeasible and they would ask that not be a requirement. He's nicely saying no. Attorney Fitzpatrick said No.3, they'd ask for a waiver that's existing features within 500 feet. They suggest that there is sufficient data on the plan and they will supplement the plan with US GS data which depicts existing features within that range of 500 feet in lieu of doing an extended plan that would go out that far beyond the tract. No. 4 is PPL and they agree. No. 5, 6 and 7 are encapsulated at no. 11, which says the final plan items, and they agree. No. 8 they already covered. The additional testing has been ordered and they know they have to comply for final plan. No. 9 is an outside agency final plan. No. 10 they have no plan changes anticipated. No. 11 was repeated above. They have a waiver on No. 12 which has already been requested. That's where the ordinance calls for 28 feet. They are willing to upgrade the entry area per the plans, but they have a waiver hanging out there. No. 13, monuments are fine. No. 14, they have a waiver request there as your ordinance calls for the metal pipes. We show metal pipes, but the engineer prefers polyethylene pipes. That's fine with us. No. 15 is legal between solicitor and themselves. No. 16 we covered, and No. 17, we understand the fee has to be paid for the recreation.

Mr. Landis said you have three waivers plus conditional preliminary approval.

Mr. Cressman said as a neighboring property owner, he wants to thank them for removing the retention ponds.

Mr. Kocher said you should probably have revised plans before they intend to go to Council. It would be nice to come in with something cleaner from the Fire Chief just in case Council has seen this letter and has questions. Attorney Fitzpatrick said they will comply.

Mrs. Genevieve Pearson, resident, is upset about the road coming out of the development. She wanted to know if it was going to be changed. Mr. Landis said as long as it has adequate site

distance and there is no traffic impact there, it is okay. There are only six homes there. Ms. Pearson said what about the traffic with them coming out of the farmhouse with tractors and hay wagons? Mr. Landis said that already happens now. Ms. Pearson said when a tractor comes out, she always has to drive in front of her son to make sure they don't pull out on him when he's coming. She wants to know why, at the pin, it is listed as Anthony Resick. That boundary line is not Resick, that is Daniel Pearson's property. That is listed wrong down in Easton. It's not residential, it's a piece of farmland. Mr. Landis said that area is residential-agricultural. That's what farmland is in this township. He doesn't know why it's listed under Anthony Resick. Mr. Ott said when they did the survey back in July 2005, they went to the courthouse and pulled the names of all the adjoiners, and at that point, that was the name listed on the records. That's why there is a N/F (now or former) on the plans. Mr. Ott will look at it again and update their plans as of May/June of this year. Ms. Pearson said she's not against the development, but is against that road. In time to come, if there is ever an accident, she doesn't want later on that you people said you didn't know anything about it.

Mr. Landis said there are three waivers. Attorney Treadwell said the first waiver is from Section 145-41.b4, Roadway Improvements. The second waiver is 145-33.c2, existing features within 500 feet; and the third is 145-48.c(2)(b)(3), the drainage pipe. The first one is the Banko Lane width, larger by the entrance. The other is the road within – what did we agree to before? Mr. Kocher said it's 24 feet on the plans now. The ordinance requires 28. Mr. Landis said that's okay, we went from 28 to 24.

MOTION BY: Mr. Hijazi moved to approve the three waivers, as stated above by Attorney Treadwell.
SECOND BY: Mr. Maxfield
ROLL CALL: 5-0 (Mr. LaBuda and Mr. Kologie absent)

MOTION BY: Mr. Noble moved for approval of the preliminary plan, with conditions that they will comply to the Boucher & James of May 9 and the HEA letter of May 11, 2006.
SECOND BY: Mr. Hijazi
ROLL CALL: 5-0 (Mr. LaBuda and Mr. Kologie absent)

D. ROBERT AGENTIS – AGENTIS BROTHERS CAR WASH VARIANCE APPLICATION – ROUTE 378 AND E. OAKHURST DRIVE

Attorney James Preston and Tom Buss, Base Engineering, Engineer; and Phil Agentis, applicant, were present. Attorney Preston said they've gone back and taken the PC's comments and reworked this. They came up with what they think is a suitable proposal for this project. It does require certain variances. The ZHB will tell you they do not have the expertise in planning that this board or Township Council has, so what they did was write to your Zoning Officer and ask that they be allowed to circulate at least once through to the PC and Board prior to going to the ZHB, at least to have them look to evaluate their proposal. Without the township's support, it's not going anywhere.

Attorney Preston said you are familiar with the property. We are dealing with 16 sub standard legally existing parcels. There is also an unopened street identified as Lincoln Street. We have submitted a zoning application. Before when they were here, they proposed two uses on a single lot. They found a way around that as a shopping center use which would include two structures. They will be looking for a use variance and develop the property. They need a quite of bit of zoning relief. If they can be successful in front of the ZHB, PC, and the Township, they would merge all of these properties into that single property as a condition of ultimately plan approval. He provided a supplemental statement with the zoning application. It basically says the applicant submits this in support of the zoning application. They have 16 parcels identified on the four page plan sets submitted with the application. Their hope is to have Lincoln Street vacated. They have

had some discussion with the township on that. They've provided a layout plan to the ZHB. It's our hope to merge the properties.

Mr. Buss said the new plan is very similar to the old one. They are eliminating the driveway coming down from the north, so they have to go out and they can't come in. They have to go back around the building. The intent is still the same as it was. There's a building for the car wash and one, tentatively, a restaurant of some sort. Attorney Preston said it's a pad, and they hope to have a stipulation that it only be allowed to be used for any of the uses already identified for this shopping center use. Mr. Buss said to make this work, they need some relief from the zoning. They did get some relief on the parking within the building setback areas as they are up against 78. They have some similar requests this time. Also, going with this use, they would need some relief from the side yard setbacks of about 50 feet. They did some of the site calculations for the environmental aspects of this, the slopes, woodlands, that type of thing. They would hope to import an already existing use that the township has described and defined, and stay within that use with this lot.

Attorney Treadwell said they will have to meet with the staff to go over this before they go to Council. Attorney Preston said he'd be happy to do that.

Ms. Szakmeister said one of the biggest concerns is the water runoff. Is there any kind of assurance that it's not going to affect the neighbors? Mr. Buss said with the initial study they did, it looks like there are two scenarios. Initially, this piece of ground wasn't part of it and they were totally going with underground storm water detention. Now they have a small area that they might be able to get some in a detention pond. Both, no matter which way they would go, would outlet to an existing PennDOT inlet. Obviously, PennDOT has total control over any storm water that would reach their right-of-way.

Mr. Noble asked if there was any notification to the neighbors yet? Attorney Treadwell said they granted an extension to the ZHB to allow this to happen, so they probably have not been notified yet. Mr. Noble asked if Mr. Agentis has gone to the neighbors? Attorney Preston said Mr. Bob Agentis is out of the country, but he has met with many of the neighbors, so they are aware of this project. Mr. Noble asked why they weren't using the corner piece that they own? Mr. Buss said that is under a different ownership. Attorney Preston said in order to accomplish this, they've entered into certain agreements with Stabler Land Company for certain easements and so forth. They are being held in escrow pending the outcome of these plan approvals. Mr. Maxfield asked if they got any communication with Upper Saucon about Lincoln St. and are they okay with not opening it? Attorney Preston said they do not have any thing definitive from Upper Saucon yet. A large portion of the land on the corner may be consumed for roadway improvements. That's their agreement with Stabler. They need a sewer line agreement back through the Stabler property. They drive a hard bargain, so in order to get that, they've had to commit some of that property through an easement agreement. The agreement is in place, they've paid for it, but it's being held in escrow.

Ms. Szakmeister said a question last time had to deal with Upper Saucon septic or sewer system? Is that an approved thing? Attorney Preston said no, it's not approved. They've approached and discussed this with them. Mr. Buss said they have been in contact with their Authority and Engineer early on. They agreed that this project could then send their sewage to their plant. They've just extended their line to the intersection, so there's a manhole right at the top of the hole right now.

Attorney Preston said he'd like to set a timeline with this. Initially when it was set up, it was scheduled for May 18 for PC and June 7 for Township Council. Attorney Treadwell said they will have to meet with them first.

Mr. Noble asked about the parking spaces. Mr. Buss said under the shopping center use, they have more than enough parking spaces. Mr. Noble said you are labeling it a shopping center so you can combine the parking sites for the two uses. Mr. Buss said if it's a shopping center, there's a different standard of calculations. Mr. Noble said they like the commercial use, but to jam two uses in there that don't have adequate parking, that is going to be a black. Mr. Buss said under the scenario for retail convenience shopping center, they need one space per 150 sq. feet. They have about 36 spaces they would need. The plan shows 47 spaces. They actually have 11 more than is required. Mr. Noble said the plan shows the moving lines for the car wash as parking spaces. Mr. Buss said that was agreed to that stacking would be parking because you do park there to go through the car wash. Mr. Noble said to his recollection, it wasn't agreed to. From an additional 1,800 foot user, he would have a hard time using any of your stacking lanes as part of your parking requirements. Mr. Buss said obviously they are not meant to feed the restaurant. They are meant to be used for the car wash. Mr. Noble said absolutely. That's why the way you have this configured, you have to look at the parking requirements for each user. You're labeling it as a shopping center to skirt some regulations, but in reality, a sit down 1,800 sq. foot restaurant with 16 parking spots is going to be a mess. Mr. Buss said if you go back to our original plan, which was the same thing, they met the requirements for the restaurant and car wash. That plan is on file. Mr. Noble said he thinks the corner should be done commercial, but he'd hate to see what is going to happen if you start jamming something in there. Attorney Preston said the reason they combined the uses is not to skirt the parking requirements. It was to just change the variance request to a use a variance instead of two principal uses on a single lot. Attorney Preston said the zoning hearing process allows conditions to be attached that would not normally be attached through the planning and approval process.

Ms. Stephanie Brown, resident, said at a Council meeting, somebody brought up this car wash will attract people who just want to hang out? What are the hours of operation? Attorney Preston said he doesn't know if there's a limit on the hours of operation. It's not a staffed facility Ms. Brown said you'll find young kids hanging out there all night. She has concerns with the intersection of East Oakhurst, Colesville and 378. What kind of entrance and exits are you talking about? Mr. Buss said there is going to be two access points and both will be full access points, left turn in and left turn out. They've discussed it with PennDOT and PennDOT has no problem with this because of the tremendous site distance that is available. The access is going to have to go through PennDOT. Ms. Brown said you've made a deal with Stabler about possible improvements on East Oakhurst. Mr. Buss said that'll be an underground pipe. You won't even see that. Ms. Brown said you were talking about road improvements. Attorney Preston said that has nothing to do with what is in front you. Ms. Brown said do you think you should do anything to help with that intersection? Attorney Preston said that's the plan as you see it. Mr. Landis said they do not own any land on that intersection. A separate entity does and that's the time to ask that question. Ms. Brown asked do they have any idea of what kind of traffic will be there? Mr. Buss said they ran the numbers and it's 250 cars per day which is the trigger for the traffic study. Their numbers indicated it would be at least that number. They will be required to do a traffic study. Ms. Brown asked if the restaurant will be open 24 hours? Attorney Preston said no.

E. JACK MANDELBAUM – 2650 REDINGTON ROAD – FORMAL SKETCH PLAN

Mr. Matt Stalsitz, Project Manager, Jena Engineering was present. Mr. Landis said this is a sketch plan and no action will be taken tonight. Mr. Stalsitz said this is a proposed residential subdivision, an existing 70 acre site off of Redington Road. They are just in sketch plan right now. They wanted to come and get some comments right now.

Ms. Stern Goldstein said the high points are we strongly suggest that the applicant take a look at their natural resource standards, map out those features on the site which are required to be protected, and worthy of protection, and then look at the cluster option which she thinks can make

much better use of the site and enhance those features to make it special. Mr. Stalsitz said the intent is on lot water and sewer. Mr. Stalsitz said they will take a look at the cluster. Ms. Stern Goldstein said you have some easements coming through the property. You might want to relook at the site and give them access through a proposed road coming through the site so that's cleaned up. Mr. Stalsitz said from what he understands, there's an existing access between lot 16 and 17 and they weren't going to change that. It's an existing access that was to remain. Ms. Stern Goldstein said you have a chance to improve it now. Mr. Stalsitz said the comment about the street trees along Redington Road, if they provide a buffer strip on the back of the lots that have reversed frontage on Redington Road, do they still need to provide street trees as well? Ms. Stern Goldstein said you would, but we're hoping when you do the cluster, you won't have those reversed frontage lots which will take care of those issues. Mr. Landis said this is 25 homes, and 9 across the street. Mr. Kocher said do you want to provide road access to the south, and if so, this property is pretty wide. Do you want to do it at more than one location? You may want to give them some guidance on that now. Mr. Stalsitz said maybe they could put in a stub road. Mr. Kocher said yes, a stub road in one or two locations if you're providing a road network instead of doing a cul-de-sac in two locations. Mr. Kocher said in terms of storm water, he encourages you to do your geology testing early so you get your infiltration worked out. Start with infiltration thinking right from the start.

Mr. Stalsitz said comment no. 6 where it talks about lot 24, the way it's shown, it has a 40' wide flag lot access point. If that was to be eliminated so the lot line was down the center, and we'd provide an easement through that, that's not something you are looking for either? Mr. Kocher said hopefully something like that would go away with the cluster development.

Mr. Landis said there are an awful lot of houses going under 78 there. That's an issue, but he doesn't know if it's a planning issue.

F. CORNERSTONE DEVELOPERS, INC. – ESTATES OF STONEHURST AT SAUCON VALLEY FORMAL SKETCH PLAN – 1905 WALDHEIM ROAD

Mr. Christian Brown, Brownmiller Design Corp., and Steve Heiss were present. Mr. Brown said last time they proposed a six lot conventional subdivision, and with guidance from the Township and Zoning Office, they did pursue the cluster option. They are still maintaining a proposal that involves six building lots and then a 7th open space lot. They proposed residential lots ranging from 1.3 acres to 2.37 acres. They are filling all the criteria for the minimum lot size and preserving about 14.5 acres for open space to qualify for a cluster development. The open space also combines the majority of the natural resources with the steep slopes and our wooded areas and some of the lower lying areas.

Ms. Stern Goldstein said this is a great example of how the system can work. She said open space should first be offered to the township. Mr. Brown said they are hoping to explore that potential joint benefit from the open space. From a value standpoint, they'd rather give it to the residents, but they remain flexible to explore what kind of joint benefits there might be. In that being the case, through potential greenway linkage agreements that would allow for this open space to act like it was a township facility down the road should trails or paths be connectable along the top of the ridge line, there are other benefits deemed appropriate. This is obviously for Council to decide on. Mr. Maxfield said the way Council has voted in the past, he would think, at the very least, they would want to be signers on to an easement. Mr. Kocher said there is a lot of carbonate geology and they are required to do some testing to disprove infiltration. Mr. Brown said they received a carbonate geology assessment and it shows no conflicts.

**G. HERITAGE BUILDING GROUP – CHAFFIER, THOMPSON, AND FILLER
PRELIMINARY MAJOR SUBDIVISION PLAN INCOMPLETE SUBMISSION – 1839
SKIBO ROAD; 1790 FRIEDENSVILLE ROAD AND 1931 MEADOWS ROAD**

Mr. Garges said he put a copy of the section of the SALDO in there that they were referring that to. Since then, they have gotten everything in, so it's not an issue anymore.

IV. MISCELLANEOUS BUSINESS ITEMS

A. APPROVAL OF MINUTES – MARCH 13, 2006

Ms. Szakmeister said on page 9, it should be "closest" instead of "closet".

MOTION BY: Ms. Szakmeister moved to approve March 13, 2006 minutes, with corrections.
SECOND BY: Mr. Maxfield
ROLL CALL: 4-1 (Mr. Noble Abstained) (Mr. LaBuda and Mr. Kologie absent)

V. PUBLIC COMMENT/CITIZEN NON-AGENDA ITEMS

Mr. Garges said they would like to get Craig in to do a little informational session of our GIS system.

VII. ADJOURNMENT

MOTION BY: Mr. Maxfield moved to adjourn. The time was 9:19 PM.
SECOND BY: Mr. Noble
ROLL CALL: 5-0 (Mr. LaBuda and Mr. Kologie absent)

Minutes Approved:

John Landis, Chair